STATUTORY INSTRUMENTS

2016 No. 756

LAND DRAINAGE, ENGLAND

The River Adur Internal Drainage District Order 2016

Made - - - -	*30th June 2016*
Coming into force - -	*31st March 2017*

Under section 3(1)(a) of the Land Drainage Act 1991 ("the 1991 Act")(**a**), the Environment Agency has prepared a Scheme making provision for the matters specified in section 3(2)(d) and (i)(**b**) and has submitted the Scheme to the Secretary of State for confirmation.

The Secretary of State has published a notice of intent to make this Order confirming the Scheme in accordance with paragraph 2(1) of Schedule 3 to the 1991 Act and has sent this notice to the relevant local authorities and other bodies specified in paragraph 2(2) of that Schedule.

No objection has been made to the draft Order.

Accordingly the Secretary of State makes this Order in exercise of the powers conferred by section 3(5) and (7) of the 1991 Act and now vested in the Secretary of State(**c**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the River Adur Internal Drainage District Order 2016 and comes into force on 31st March 2017.

(2) In this Order, "the Agency" means the Environment Agency.

Confirmation of the Scheme with modifications

2.—(1) The Scheme submitted by the Agency is confirmed with modifications.

(2) The Scheme as modified by the Secretary of State is set out in the Schedule to this Order.

Secretary of State's expenses

3. The expenses of the Secretary of State in connection with the making and confirming of this Order must be borne by the Agency.

(**a**) 1991 c. 59; section 3(1) was amended by S.I. 2013/755 (W. 90). The definitions of "the appropriate supervisory body" and "the relevant Minister" are in section 72(1).
(**b**) Section 3(2) was amended by S.I. 2013/755 (W. 90).
(**c**) The functions of the Ministry of Agriculture, Fisheries and Food were transferred to the Secretary of State by virtue of article 2(2) of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794).

Signed by authority of the Secretary of State

Carol Tidmarsh
Senior Policy Advisor, Flood Risk Management
30th June 2016 Department for Environment, Food and Rural Affairs

SCHEDULE

Article 2(2)

Scheme submitted by the Agency, as modified by the Secretary of State

1. This Scheme comes into force on 31st March 2017.

2. In this Scheme—

"the abolished district" means the River Adur Internal Drainage District;

"the Agency" means the Environment Agency;

"the commencement date" means the date on which this Scheme comes into force;

"property" means any property which is vested in the Agency in respect of the abolished district immediately before the commencement date and includes books of account, other books, deeds, maps, papers and other documents, in whatever medium held, and computer and other electronic records;

"the River Adur Internal Drainage District" means the area shown edged red on the map entitled "River Adur" dated 6th March 2015 and sealed by the Agency, which can be inspected at the Environment Agency, Guildbourne House, Chatsworth House, Worthing, BN11 1LD.

3. The River Adur Internal Drainage District is abolished.

4. The accounts of the abolished district must be made up to the day before the commencement date and audited as if this Scheme had not come into force; any sum certified by the abolished district's auditors as due to the Agency in respect of the abolished district from any person must be paid to the Agency.

5. Any debts due from the Agency in respect of the abolished district immediately before the commencement date must be discharged by the Agency and arrears of rates outstanding at the commencement date in respect of any period ending before the commencement date must be paid to, and are recoverable by, the Agency.

6. As from the commencement date, all property is transferred to and vested in the Agency and the Scheme operates as conclusive evidence of such transfer and vesting without the necessity of any further assignments, conveyance or deed of transfer.

7. Any monies transferred to or otherwise held by the Agency in respect of the abolished district must be paid by the Agency to those local billing authorities to which special levies were issued in 2014 in accordance with regulation 6 of the Internal Drainage Board (Finance) Regulations 1992(**a**) in proportion to the amounts levied.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confirms a Scheme submitted by the Environment Agency making provision for the abolition of the River Adur Internal Drainage District.

(**a**) S.I. 1992/3079.

The map entitled “River Adur” and showing the area of the River Adur Internal Drainage District is available for inspection during office hours at the Environment Agency, Guildbourne House, Chatsworth Road, Worthing, BN11 1LD.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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£4.25

UK201607141 07/2016 19585

http://www.legislation.gov.uk/id/uksi/2016/756

ISBN 978-0-11-114851-8

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